

Fifty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1049

Introduced by

Legislative Council

(Legislative Audit and Fiscal Review Committee)

1 A BILL for an Act to create and enact a new subsection to section 15-10-17 and a new section  
2 to chapter 54-10 of the North Dakota Century Code, relating to the powers and duties of the  
3 state board of higher education and the release of audit reports.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new subsection to section 15-10-17 of the 1997 Supplement to the  
6 North Dakota Century Code is created and enacted as follows:

7 To meet in executive session to receive a financial audit report, financial-related  
8 audit report, or performance audit report prepared by the state auditor's office or a  
9 private firm under contract with the state auditor's office if the report has not been  
10 presented to the legislative audit and fiscal review committee.

11 **SECTION 2.** A new section to chapter 54-10 of the North Dakota Century Code is  
12 created and enacted as follows:

13 **Audit reports - Open records requirements.** Except as otherwise provided in this  
14 section, a state agency or institution financial audit report, financial-related audit report, or  
15 performance audit report prepared by the state auditor's office or by a private firm under  
16 contract with the state auditor's office is not a public record under section 44-04-18 until the  
17 report is presented or otherwise considered for acceptance at a meeting of the legislative audit  
18 and fiscal review committee. This section does not preclude the auditor from reviewing the  
19 contents of the report with the appropriate personnel of the agency or institution audited before  
20 the report is presented to the legislative audit and fiscal review committee.